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Counsel to TH Holdco LLC

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re
85 FLATBUSH RHO MEZZ LLC, et al.,¹

Debtors

Case No. 20-23280 (RDD)
Chapter 11

(Jointly Administered)

**NOTICE OF APPEARANCE AND DEMAND
FOR NOTICES AND SERVICE OF PAPERS**

PLEASE TAKE NOTICE that the undersigned hereby enters their appearance as counsel to TH Holdco LLC (“TH Holdco”), pursuant to, *inter alia*, Rules 2002 and 9010 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and Section 1109(b) of Title 11 of the United States Code, as amended (the “Bankruptcy Code”), requests that all notices given and all papers served or required to be served in each of the Chapter 11 Cases be given to and served upon:

¹ The Debtors (as defined) in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include: 85 Flatbush RHO Mezz LLC. (6184); 85 Flatbush RHO Hotel LLC (5027); and 85 Flatbush RHO Residential LC (2261).

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PLEASE TAKE FURTHER NOTICE that the foregoing request includes not only notices and papers referred to in the Bankruptcy Code or Bankruptcy Rules, but also includes, without limitation, orders and notices of any applications, motions, orders, demands, hearings, requests or petitions, answering or reply papers, memoranda and briefs in support of any of the foregoing, and any other document brought before this Court with respect to the Chapter 11 Cases, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, hand delivery, telephone, facsimile, telex, e-mail or otherwise.

PLEASE TAKE FURTHER NOTICE that this Notice of Appearance and Demand for Notices and Service of Papers shall not be construed as an appointment of any person or entity as authorized agents of TH Holdco, either expressly or impliedly, for purposes of receiving service

of process pursuant to Rule 7004 of the Bankruptcy Rules or Rule 4 of the Federal Rules of Civil Procedure.

PLEASE TAKE FURTHER NOTICE that neither this Notice of Appearance nor any subsequent appearance, pleading, claim or suit is intended or shall be deemed to waive TH Holdco's (i) right to have final orders in non-core matters entered only after *de novo* review by a higher court; (ii) right to trial by jury in any proceeding so triable herein or in any case, controversy or proceeding related hereto; (iii) right to have the reference withdrawn by the United States District Court in any matter subject to mandatory or discretionary withdrawal; or (iv) other rights, claims, actions, defenses, setoffs or recoupments to which TH Holdco is or may be entitled under agreements, at law or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments expressly are hereby reserved.

Dated: February 8, 2022
New York, New York

DENTONS US LLP

/s/ Lauren M. Macksoud
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CERTIFICATE OF SERVICE

I hereby certify that on February 8, 2022, a true and correct copy of the foregoing Notice of Appearance was caused to be served via the Court's CM/ECF system on all parties authorized to receive electronic notice in these cases.

/s/ Lauren M. Macksoud
Lauren M. Macksoud